



# ***RADAR*** ***SCREEN***

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Legislative Digest

September 27, 1999

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House Republican Conference  
J.C. Watts, Jr., Chairman

## **Present to One Month**

**Academic Achievement for All Students (H.R. 2300/S. 1266, “Straight A’s Act”)** — H.R. 2300, introduced by Mr. Goodling *et al.*, gives states the option of submitting a charter proposal to set specific and measurable performance goals to reach within five years. If approved, states may use any of their regular federal K-12 formula program funds to meet state education priorities and programs—thus, states may opt out of federal regulations that restrict how states may use federal funds—in exchange for being held accountable for meeting their goals. In addition, states will be free to combine their federal funds from multiple programs to more effectively address the needs of students in their state.

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**Agriculture Risk Protection Act (H.R. 2559)** — The FY 2000 budget resolution called for new budget authority to make needed improvements in the crop insurance program. On July 20, Mr. Combest introduced a bill to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss. The bill increases crop insurance funding by \$6 billion over FYs 2001-2005. In addition, the bill (1) maintains or increases subsidies in all areas of the insurance program; (2) authorizes \$55 million for a pilot program to insure livestock; (3) expands farmers’ options for covering catastrophic loss; (4) allows greater flexibility in levels of coverage; and (5) provides more affordable policies against price, income, and production loss. U.S. farmers are subject to unpredictable weather and volatile world markets that are beyond their control. The frequency and widespread nature of natural disasters generate substantial uncertainty over crop yields. Improvements to the Federal Crop Insurance Program will be geared toward offering more effective protection against risks that can wipe out the most prudent of producers in one fell swoop. Under the current program, farmers in fertile production areas who in recent years have had low/no production are penalized by higher premium costs and less coverage. The bill may be scheduled for floor consideration the week of September 27.

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**Child Abuse Prevention and Enforcement Act (H.R. 764)** — The bill (1) assists states in improving access by child protective workers and child welfare workers to criminal conviction information and court-issued protection orders based on claims of child or domestic abuse; (2) adds as a new permissible state

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use for federal grants “to enforce child-abuse and neglect laws and programs designed to prevent child abuse and neglect”; and (3) doubles the amount of federal funds authorized for child abuse and domestic assistance programs from \$10 million to \$20 million annually. The measure was introduced by Ms. Pryce *et al.* on February 12, 1999.

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**Child Status Protection Act (H.R. 1520)** — Under current law, children of legal aliens and naturalized citizens have “immediate relative” immigration status, the number of which is not capped under current law. However, when these children turn 21, they fall into “family first” status. This numerically limited status makes it difficult to receive student loans, join the military, or engage in other activities available to an immigrant with full process rights. Moreover, the Immigration and Naturalization Service (INS) currently has a backlog of one million citizenship petitions; approximately seven to eight percent of these cases relate to individuals with expired child status. In the face of this backlog, recently-turned 21-year-olds must wait as long as seven years before their case is processed. H.R. 1520 amends the 1952 Immigration and Nationality Act to give priority to these child status cases and put them at the front of the INS “queue.” It does not change these individuals’ immigrant status. The measure was introduced by Mr. Smith (TX) and Mr. Rogan on April 22, 1999.

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**Continuing Resolution** — The House will consider a continuing resolution (CR) to fund the government after the end of the fiscal year (September 30) for the remaining appropriations measures that are not completed at that time. Appropriations Committee Chairman Young introduced a CR (H.J. Res. 68) to fund government operations through October 21. The House will consider the measure the week of September 27.

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**County Schools Funding Revitalization Act (H.R. 2389)** — The federal government currently shares revenues that it receives from the National Forest System (*e.g.*, park entrance fees, timber sales) with counties that have a large percentage of federal land to partially replace the lost revenue these counties would have generated had such lands remained privately owned. Counties rely on this revenue to fund local schools and transportation projects. In recent years, federal timber sales have decreased dramatically causing counties to suffer revenue shortfalls. H.R. 2389 requires the Treasury Secretary to pay counties at a level equal to the average of payments in the three highest years since 1985. The bill also establishes the Forest Counties Payment Committee to develop long-term methods to ensure that these counties receive adequate payments. The bill was introduced by Mr. Deal, *et al.* and was reported by the Agriculture Committee by voice vote on September 23, 1999.

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**DOE Commercial Application of Energy Technology Authorization Act (H.R. 1656)** — H.R. 1656, introduced by Mr. Calvert, authorizes \$702.8 million for FY 2000 and \$711.7 million for FY 2001 for the Department of Energy (DOE) to develop private sector applications of energy technology, as well as authorize related civilian energy and scientific programs. In addition, the bill shifts regulatory authority for environmental safety and health standards in civilian labs from the DOE to the National Regulatory Commission (NRC) and the Occupational Safety and Health Administration (OSHA). The bill also places a moratorium on access by citizens of countries on the DOE List of Sensitive Countries to classified DOE facilities and applies penalties of up to \$100,000 for any security violation relating to classified or sensitive information by a DOE employee or contractor. The Science Committee reported the bill by voice vote on May 26.

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**Electric Signatures in Global and National Commerce (E-SIGN) Act (H.R. 1714)** — The Commerce Committee believes that with the burgeoning electronic-commerce market, consumers need electronic signatures to hold the same legal protections and guarantees as written signatures. H.R. 1714 is designed to allow consumers and businesses to use electronic signatures when making on-line business transactions in the same manner that they would use hand-written signatures. In addition, the bill eliminates legal uncertainties surrounding the status of electric signatures and records. Finally, the measure (1) allows businesses to accept electronic signatures and records in interstate commerce and by the securities industries; and (2) requires the Commerce Secretary to promote the principles of this legislation overseas. The bill was introduced by Messrs. Bliley, Davis (VA), Oxley, Fossella, and Tauzin and was reported by the Commerce Committee by voice vote on August 5.

**Elementary and Secondary Education Act (ESEA) Reauthorization** — The 1965 Elementary and Secondary Education Act (ESEA), last authorized in 1994, is set to expire during the 106<sup>th</sup> Congress. The ESEA covers so-called Title I programs, which authorize funding for economically-disadvantaged students, safe and drug-free school programs, teacher training, magnet schools, education technology, bilingual education, and myriad other federal education initiatives. In the current fiscal year, ESEA programs are funded at \$13.9 billion. The ESEA reauthorization debate will turn on directing more funds toward teacher quality, reducing the regulatory burden on local school districts, sending federal funding directly to classrooms, and elevating student performance standards. During the month of October, the House will consider legislation to reauthorize Title I of the ESEA as well as funding for education technology.

**Emigrant Wilderness Protection Act (H.R. 359)** — H.R. 359 requires the Forest Service to allow a private organization (a volunteer organization or other non-federal entity) to maintain 18 concrete dams and weirs—a specific kind of dam—located in the Emigrant Wilderness in the Stanislaus National Forest in California. The private organization must pay the expenses to maintain and operate the dams. The bill was introduced by Mr. Doolittle and was reported by the Resources Committee by voice vote on May 5.

**Environmental Protection Agency Office of Air and Radiation Authorization Act (H.R. 1743)** — H.R. 1743, introduced by Mr. Calvert, authorizes \$230.1 million for FY 2000 and \$237 million for FY 2001 for the Environmental Protection Agency's (EPA) Office of Air and Radiation (OAR). These amounts represent an across-the-board three percent increase. OAR works to prevent air pollution and exposure to radiation through the management of public and private resources. The bill also prohibits the use of funds to implement the Kyoto Protocol unless it is ratified by the Senate. The Science Committee reported the bill by voice vote on May 26.

**EPA Office of Research and Development and Science Advisory Board Authorization Act (H.R. 1742)** — H.R. 1742, introduced by Mr. Calvert, authorizes \$506.7 million for FY 2000 and \$522.7 million for FY 2001 for the EPA's Office of Research and Development and its Science Advisory Board (SAB). The SAB provides independent scientific and engineering advice to the EPA Administrator. In addition, H.R. 1742 prohibits the use of funds to implement the Kyoto Protocol unless it is ratified by the Senate. The Science Committee reported the bill by voice vote on May 26.

**Fair Access to Indemnity and Reimbursement Act (H.R. 1987)** — The bill amends the National Labor Relations Act to permit employers and labor organizations who win a case brought against them by the National Labor Relations Board (NLRB) or the Occupational Safety and Health Administration (OSHA) to recover attorneys' fees and costs. The intent of the measure is to (1) ensure that small business owners and labor groups are not deterred from seeking review of federal actions brought against them because of potential legal expenses; (2) reduce the disparity in resources that exists between small business owners and labor organizations, and the NLRB and OSHA; and (3) hold the NLRB and OSHA more accountable for actions they take against small employers and labor groups. The measure was introduced by Mr. Goodling *et al.* on May 27, 1999. The Education & the Workforce Committee reported the bill by a vote of 24-19 on July 29, 1999. The measure will likely be consider in mid-October.

**Freedom from Sexual Trafficking Act (H.R. 1356)** — H.R. 1356 contains several initiatives to combat international sexual trafficking, the practice of abducting women and children across international boundaries and forcing them into prostitution or sexual slavery. The bill was introduced by Mr. Smith (NJ) and was forwarded to the full International Relations Committee by the International Operations and Human Rights Subcommittee voice vote on August 4.

**Health Research and Quality Act (H.R. 2506)** — H.R. 2506 authorizes \$250 million for FY 2000, and such sums as necessary for FYs 2001-2004, for the Agency for Health Research and Quality (AHRQ, formerly known as the Agency for Health Care Policy and Research), to conduct and support research on the quality, outcomes, cost, and utilization of health care services, as well as customer access to these health care services. The bill revises the agency's mission to emphasize its role as a partner to the private sector, with responsibility for promoting health care quality through research, synthesizing and disseminating scientific evidence, and advancing private and public efforts to improve health care quality. The measure prohibits the agency from mandating "national standards of clinical practice or quality health care standards." The bill is designed to emphasize the agency's non-regulatory role in supporting sound science, while private and public sector purchasers and accreditation agencies set quality standards. The Commerce Committee reported the bill by voice vote on August 5, 1999. The House will consider the legislation the week of September 27.

**Health Care Quality** — In the 105<sup>th</sup> Congress, the House passed the Patient Protection Act (H.R. 4250) by a vote of 216-210. In response to the growing concern that many in the public have expressed over the managed care industry, the measure was designed to ensure that the nation's health care system is accessible, affordable, and accountable. On July 15, the Senate passed HMO reform legislation (S. 1344) by a vote of 53-47. The House is expected to soon consider legislation to reform HMOs and improve access to health care. This legislation is expected to address issues such as open communication between physicians and patients (elimination of "gag" rules), access to emergency care, openness of health plan information, external reviews by independent physicians, malpractice reforms, allowing small employers to pool their resources and purchase health plans for employees, expanding HMO liability, securing confidentiality of medical records, and expanding medical savings accounts. Messrs. Norwood and Dingell, Messrs. Coburn and Shadegg, and Mr. Boehner have each introduced legislation that address many of these issues. The House is expected to consider legislation on this issue the week of October 4.

**Intelligence Authorization Conference Report (H.R. 1555)** — H.R. 1555 authorizes appropriations for the intelligence activities of 11 federal agencies including the Central Intelligence Agency (CIA), the National Security Agency (NSA), the Defense Intelligence Agency (DIA), and the Federal Bureau of Investigation (FBI). The House passed the bill by voice vote on May 13; it passed the Senate by voice vote on July 21.

**Lock Box** — On May 26, the House passed “lock box” legislation (H.R. 1259) by a vote of 416-12. The bill amends the 1974 Congressional Budget Act (*P.L. 93-344*) to establish a “lock box” mechanism to ensure that Social Security surpluses are not spent on other government programs—or for tax cuts—by creating parliamentary obstacles and establishing new budget procedures. In doing so, the measure protects the Social Security trust fund by setting aside \$1.8 trillion in cumulative budget surpluses over the next 10 years for Social Security and Medicare. While the Senate has attempted to consider a similar bill, Democrats have blocked attempts to vote on the measure. Both House and Senate leaders have expressed their desire to enact lock box legislation before adjournment.

**Marine Research Authorization Act (H.R. 1552)** — The bill authorizes \$646.8 million for marine and related environmental R&D programs at the National Oceanic and Atmospheric Administration and the National Science Foundation for FYs 2000-2001. This amount includes \$200 million annually for the National Ocean Service and \$44.3 million annually for the Office of Atmospheric Research. The Science Committee reported H.R. 1552, introduced by Mr. Calvert, by voice vote on April 29.

**Methane Hydrate Research and Development Act (H.R. 1753/S. 330)** — H.R. 1753, introduced by Mr. Doyle *et al.*, requires the Energy Secretary to consult with the secretaries of Defense and Interior, along with the director of the National Science Foundation, to begin a methane hydrate research and development program to establish methane hydrate as a viable energy resource. In addition, the bill authorizes such sums as necessary to carry out the program. The Resources Committee reported the bill by voice vote on June 30 and the Science Committee reported the bill by voice vote on September 9. The Senate passed S. 330 by unanimous consent on April 19.

**Motor Carrier Safety Act (H.R. 2679)** — H.R. 2679 creates a new motor carrier administration within the Department of Transportation to administer federal motor carrier safety programs (these functions are currently managed by the Federal Highway Administration). The bill also (1) increases funding from the highway trust fund for federal and state oversight and enforcement efforts; and (2) reforms federal motor carrier safety programs and the commercial driver’s license program. The Transportation Committee held several hearings this year that focused on the Office of Motor Carriers (OMC) and its operations (including its placement within the Department of Transportation), the statistical trends related to motor carrier safety, the federal Motor Carrier Safety Grants program, and federal and state government roles in overseeing and enforcing motor carrier safety laws and regulations. The bill was introduced by Mr. Shuster *et al.* and was reported by the Transportation Committee by voice vote on August 5, 1999.

**National Institute of Standards and Technology Authorization Act (H.R. 1744)** — H.R. 1744, introduced by Mrs. Morella, authorizes \$691.4 million for FY 2000 and \$586.3 million for FY 2001 for the National Institute of Standards and Technology (NIST). An agency of the U.S. Commerce’s Technology

Administration, NIST works with industry to develop and apply technology, measurements, and standards to promote economic growth. NIST provides technical assistance in developing products and services, partners with the private sector in research and development (R&D), assists smaller manufactures, and honors business achievements with an award. The Science Committee is expected to mark up the bill and ready it for floor consideration before adjournment.

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**National Transportation Safety Board (NTSB) Amendments Act** — The House is expected to consider legislation to reauthorize the NTSB and make minor policy changes. The bill authorizes \$57 million for FY 2000, \$65 million for FY 2001, and \$72 million for FY 2002. The NTSB investigates accidents, conducts special studies, develops recommendations to prevent accidents, evaluates the effectiveness of safety programs, and reviews appeals of adverse actions involving airman and seaman licenses and civil penalties issued by the Transportation Department. The Transportation Committee approved the bill by voice vote on September 23, 1999. The House will consider the measure the week of September 27.

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**Networking and Information Technology Research and Development Act (H.R. 2086)** — The bill, introduced by Mr. Sensenbrenner, authorizes \$4.8 billion over the next five years for information technology (IT) research at the National Science Foundation (NSF), the National Aeronautics and Space Administration (NASA), the Department of Energy (DOE), the National Institute of Standards and Technology (NIST), the National Oceanic and Atmospheric Administration (NOAA), and the Environmental Protection Agency (EPA). This amount represents a 92 percent increase over FY 1999. The funding includes \$95 million for universities to establish internship programs at IT companies to promote math and science education. The bill also makes the research and development (R&D) tax credit permanent. The Science Committee reported the bill by voice vote on September 9, 1999.

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**North Korea Threat Reduction Act (H.R. 1835)** — H.R. 1835 is designed to prevent North Korea from further developing weapons of mass destruction by (1) imposing conditions on the delivery of U.S. oil and food assistance; (2) imposing conditions on North Korea's entering into nuclear cooperation agreements; and (3) mandating the continuation of the existing U.S. embargo on North Korea. The U.S. believes that North Korea is developing an underground site to develop plutonium for use in nuclear weapons, which would constitute a direct violation of the 1994 nuclear non-proliferation accords to which North Korea agreed. In addition, the rogue nation has completed the development of Rodong missiles with a range of 1,000 kilometers and is in the process of developing longer-range Taepo Dong 1 and Taepo Dong 2 missiles, with ranges of over 1,500 kilometers and 4,000-6,000 kilometers, respectively. North Korea also is suspected of possessing a large stockpile of chemical weapons. Recently, the Clinton administration lifted sanctions against North Korea, citing indications that North Korea has halted its missile programs. Many Republicans fear that lifting sanctions against North Korea will allow it to resume its programs to develop weapons of mass destruction. The bill was introduced by Mr. Gilman and is expected to be marked up by the International Relations Committee within the next month.

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**Nuclear Regulatory Commission Authorization (H.R. 2531)** — The U.S. Nuclear Regulatory Commission (NRC) was created by the 1974 Energy Reorganization Act (*P.L. 93-438*) to protect public health and safety, oversee nuclear defense and security programs, and protect the environment in the use of nuclear materials in the United States. The NRC's responsibilities include regulating (1) commercial nuclear

power reactors; (2) civilian use of radioactive materials (i.e., medical and academic uses), and (3) the transportation, storage and disposal of nuclear materials and waste. Most importantly, the NRC oversees all licensing and any use of nuclear materials.

The most important budgetary issue for Congress to consider is reauthorizing the NRC's ability to collect user fees. The 1990 Omnibus Budget Reconciliation Act directed the NRC to recover 100 percent of its budget authority from user fees minus the amounts appropriated from the Nuclear Waste Fund. Of the typical annual NRC budget of \$470 million, the agency recovers approximately \$450 million from a combination of license and annual fees. This authority for the NRC to collect fees expired in 1998, and was extended FY 1999 by last year's Energy and Water Appropriations bill. Both the House and Senate Energy and Water Appropriations Subcommittees already have included language to extend the fee collection authority for another year in the event an authorizing bill is not enacted by September 30, 1999. The Commerce Subcommittee on Energy and Power plans to mark up this legislation before the end of September.

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**Pain Relief Promotion Act (H.R. 2260)** — The measure amends the 1970 Controlled Substances Act to prohibit states from authorizing or permitting physician-assisted suicide, which will effectively overturn Oregon's recently-enacted assisted-suicide law. In addition, the bill authorizes \$5 million for training programs focusing on pain management and palliative care. H.R. 2260 was introduced Mr. Hyde *et al.* and is expected to be ready for floor consideration by the first week of October.

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**Rail Passenger Disaster Family Assistance Act (H.R. 2681)** — H.R. 2681 establishes a formal system to provide assistance to families of those involved in rail passenger accidents, based on a comparable process for aviation accidents. The bill directs the National Transportation Safety Board (NTSB) to assign a director of family support services to assist the families of passengers involved in the accidents, including serving as a contact person in the federal government and acting as a liaison between the families and the rail carrier. Finally, the bill directs rail passenger carriers to develop a plan of action for responding to a rail accident. The bill was introduced by Mr. Shuster *et al.* and was reported by the Transportation Committee by voice vote on August 5, 1999.

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**Satellite Copyright, Competition, and Consumer Protection Act Conference Report (H.R. 1554)** — The House-passed bill allows satellite television companies to carry the same local-broadcast network affiliates (i.e., ABC, CBS, FOX, and NBC) that are routinely provided by their cable rivals. The 1988 Satellite Home Viewer Act (SHVA) currently permits satellite retransmission of network television programming only if a subscriber meets certain conditions. Thus, the bill ends an 11-year-old ban that prevented satellite companies from carrying network programs in areas where local channels can be received with an antenna. The House passed H.R. 1554 by a vote of 422-1 on April 27. The Senate passed similar legislation (S.247) on by unanimous consent on May 20. A number of technical issues have yet to be addressed and conferees are currently meeting to resolve them.

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**Security and Freedom through Encryption (SAFE) Act (H.R. 850)** — The bill amends current law to affirm the right of U.S. citizens to use and sell encryption software and to relax export controls on encryption products. Electronic and wire communications, as well as electronically stored information, is "encrypted," scrambled by mathematical formulas or algorithms in order to preserve confidentiality and prevent unauthorized access. The measure prohibits the federal government and states from requiring that a so-

called “key”—the means to decrypt wire communications or electronically stored information—be (1) built into computer hardware or software, (2) provided to the federal government or states, or (3) retained by the manufacturer of the software; however, this provision does not apply to law enforcement entities or to the intelligence community.

If encryption is used for criminal purposes, the bill establishes a prison term of up to five years and a fine for a first offense and up to 10 years and a fine for a second offense. The measure, however, stipulates that the use of encryption is not sufficient for establishing probable cause to obtain a search warrant. Finally, the bill amends the 1970 Export Administration Act to lift the export license requirement—after a one-time, 15-day technical review by the Commerce Secretary—on commercially available encryption devices. The bill was introduced by Mr. Goodlatte on February 25, 1999. The Clinton Administration on September 16 agreed to end most controls on exporting encryption technology. However, lawmakers plan to move forward with consideration of the measure.

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**Taiwan Security Enhancement Act (H.R. 1838)** — H.R. 1838 authorizes arms sales to Taiwan to help the country defend itself against the military buildup in China. The bill increases communication between the Taiwanese and American militaries and authorizes the sale of (1) satellite shared early warning (SEW) data to Taiwan; (2) AIM-120 air-to-air missiles to Taiwan; (3) diesel submarines, anti-submarine warfare systems, and naval anti-missile systems; and (4) theater missile defense equipment. It also requires the militaries of the U.S. and Taiwan to implement a plan to enhance operational training and exchanges between the two countries. The bill was introduced by Mr. DeLay and is expected to be considered by the House within the next month.

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**Unborn Victims of Violence Act (H.R. 2436)** — The bill makes it a federal crime to harm an unborn child during the commission of a violent criminal act. Federal judges may levy the same punishment as if the injury or death occurred to the unborn child’s mother, excluding the death penalty. The measure exempts abortions performed with the mother’s consent. H.R. 2436 was introduced by Messrs. Graham, Canady, and Smith (NJ) on July 1, 1999. The House is scheduled to consider the bill the week of September 27.

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**Welfare Reform** — In 1996, Congress enacted the historic welfare reform law (*P.L. 104-193*) that established a fixed block grant for state-designed welfare programs of time-limited and work-conditioned aid to families with children. The Ways & Means committee is expected to consider legislative proposals to improve and/or make modifications to the underlying law later this year. This measure may include the “Fatherhood Initiative” that members of the committee are currently developing. Mr. Shaw introduced legislation (H.R. 3314) on this issue last year, but the committee did not act on the proposal before adjournment. The 1996 welfare reform law has been successful in helping poor mothers obtain employment and improve their economic circumstances. The goal of the Fatherhood Initiative is to help poor fathers improve their economic circumstances and participate directly in rearing their children.

## **One Month to Adjournment**

**American Homeownership and Economic Renewal Act (H.R. 1776)** — H.R. 1776 reduces barriers to affordable housing by authorizing grants to states and local governments for regulatory barrier removal strategies. The proposal requires all federal agencies to include a housing impact analysis with any proposed



regulation to certify that the regulation will have no significant negative impact on the availability of affordable housing. Local nonprofit and community development groups will be able to offer alternatives if such regulations have a negative impact on affordable housing. The measure also includes the text of H.R. 710 (the Manufactured Housing Improvement Act) to (1) create a process for keeping construction standards updated in a timely manner; (2) improve management of the federal program by creating a “consensus committee” of consumers, industry experts and government officials to advise HUD on safety standards and regulatory enforcement; and (3) require HUD to ensure that disparate state and local requirements do not affect the uniformity and comprehensiveness of the standards. The Banking Committee recently held a hearing on the bill. The proposal, introduced by Mr. Lazio, is expected to be ready for floor consideration before adjournment.

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**Aviation Investment & Reform Act for the 21<sup>st</sup> Century Conference Report (AIR-21; H.R. 1000/ S. 82)** — In June, the House passed H.R. 1000 by a vote of 316-110. H.R. 1000 reauthorizes and reforms the Federal Aviation Administration (FAA), as well as removes the aviation trust fund from federal budget calculations (i.e., takes it “off-budget”). In addition to these measures, the bill focuses on increasing airport security and enhancing airline competition. Specifically, the bill eliminates slot exemptions (i.e., restrictions on takeoffs and landings) at O’Hare in 2002 and in 2007 at La Guardia and JFK. The Senate has yet to act on a comprehensive FAA reauthorization bill (S. 82), choosing instead to pass S. 1467, a two-month FAA funding extension. Prior to the August break, the House took up S.1467, amended it with the text of AIR 21 (H.R. 1000), appointed conferees, and sent it back to the Senate where it is currently awaiting action.

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**Caribbean and Central American Relief and Economic Stabilization Act (H.R. 984)** — H.R. 984 responds to the needs of the Caribbean and Central American nations affected by the devastation caused by Hurricanes George and Mitch, which hit the region in 1998. The measure provides a mechanism to promote long-term economic recovery in Central America and the Caribbean by enhancing the region’s opportunities to expand trade with the United States. Specifically, the bill provides trade benefits to products currently excluded from Caribbean Basin Initiative (CBI) duty-free treatment. The measure provides tariff and quota treatment, on imports from CBI beneficiary countries that is similar that accorded similar articles imported from Mexico under the North American Free Trade Agreement (NAFTA), for a temporary period beginning on July 1, 2000, and ending on August 1, 2002. The bill was introduced by Mr. Crane and was reported by the Ways & Means Committee by voice vote on June 10, 1999.

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**Child Survival Act** — The International Relations Committee expects to mark up a bill to increase authorized funding for child survival activities by foreign aid providers. Such activities include efforts to eradicate diseases like polio and leprosy in developing countries, as well as tighten the definition of “child survival and labor.” The committee expects to consider this bill sometime in October.

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**Community Development Financial Institutions (CDFI) Fund Amendments Act (H.R. 629)** — H.R. 629 reauthorizes the community development financial institutions (CDFI) fund through FY 2003 (the fund’s current authorization expires at the end of FY 1999). Specifically, the bill authorizes \$95 million for FY 2000, \$100 million for FY 2001, \$105 million for FY 2002, and \$110 million for FY 2003. In addition, the bill makes a number of changes to ensure the integrity of the grant process and enhance

program effectiveness. The measure was introduced by Mr. Vento and Mrs. Roukema and was reported by the Banking & Financial Services Committee by voice vote on May 26, 1999.

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**Consumer and Investor Access to Information Act (H.R. 1858)** — Mr. Bliley introduced bipartisan legislation earlier this year to ensure that all Americans will continue to have full access to information on the Internet, such as stock quotes used for online trading. The measure is designed to provide new protection to publishers of electronic databases and guarantee that public access to information will not be limited by publishers' claiming a property right over facts and information that have historically been part of the public domain. Finally, H.R. 1858 establishes protections to database publishers against database theft from hackers seeking to undermine the integrity of the data given for public usage. As more and more people use the Internet to make investment decisions like price shopping, mortgage comparisons, and personnel investment choices, bill proponents argue that safeguards must be enacted to ensure that as few disruptions as possible in this growing marketplace. The legislation is also expected to support educational endeavors where accurate information is paramount to learning, teaching, and research. The Commerce Subcommittee on Finance and Hazardous Materials reported Title II of the bill by voice vote on July 21, and the Commerce Subcommittee on Telecommunications, Trade, and Consumer Protection reported Title I by voice vote on July 29. Additionally, the Judiciary Committee approved its own version of database protection legislation (H.R. 354) by voice vote on May 26. Currently, the two committees are in the process of attempting merge their respective bills.

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**Corporation for Public Broadcasting (CPB) Authorization (H.R. 2384)** — Mr. Tauzin introduced legislation requested by the CPB to authorize funds to public radio and television stations through 2006. Specifically, the CPB's request includes \$300 million for FY 2000, \$340 million for FY 2001, and \$475 million annually for FYs 2002-2006. Under the bill, the government will match 40 percent of CPB's total donations from the public and private sectors. Finally, the bill authorizes funding to assist CPB in upgrading to the digital format from its current analog format. Responding to press reports that a CPB affiliate in Boston (and many other affiliates) turned over donor lists to the Democratic National Committee, Mr. Tauzin plans to offer a revised bill to outlaw this practice. Additionally, the new version will (1) reduce authorized funding levels; (2) require a GAO study to determine the extent of CPB affiliates swapping donor lists with other organizations; and (3) bar stations that shared donor lists from receiving federal money to upgrade to a digital signal. Mr. Tauzin held a hearing on July 20 and will continue to work on this issue.

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**Debt Relief and Poverty Reduction Act (H.R. 1095)** — H.R. 1095, which was introduced by Messrs. Leach and LaFalce, cancels most of the debt owed to the U.S. government by the world's poorest countries and reduces the debt owed to the World Bank, International Monetary Fund, and other international financial institutions. The measure requires debt relief to be targeted to reduce poverty and provide basic social services. The bill is part of the Jubilee 2000 campaign—an international movement of churches and other organizations working to achieve debt cancellation for the world's poorest countries and promote development that benefits poor people. The 40 nations classified by the World Bank as "highly indebted poor countries" currently owe \$6.8 billion to the United States. The Banking & Financial Services Committee expects to mark up the measure in the next several weeks.

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**Financial Services Act Conference Report (H.R. 10/S. 900)** — The House passed H.R. 10 by a vote of 343-86 on July 1. The Senate passed its version (S. 900) by a vote of 54-44 on May 6. Conferees are currently working to reconcile the two measures. H.R. 10 is designed to modernize the financial services industry by replacing outdated, Depression-era laws that separate banking from other financial services with a new system to enhance competition and increase consumer choice. Specifically, the bill (1) repeals the anti-affiliation provisions of the 1933 Glass-Steagall Act and the 1956 Bank Holding Company Act, therefore allowing financial companies to offer a broad array of financial products to their customers, including banking, insurance, securities, and other financial products—either through a financial holding company or through operating subsidiaries; (2) provides functional regulation of bank securities activities (i.e., as a general matter, securities activities will be regulated by the Securities and Exchange Commission); (3) establishes the state insurance regulator as the appropriate functional regulator of insurance; (4) prohibits commercial entities from acquiring or establishing thrifts (i.e., the bill closes a loophole in current law that allows a commercial company to purchase only one thrift, hence the term “unitary thrift holding company”) after March 4, 1999; and (5) includes a number of provisions designed to protect consumer privacy.

**Homeless Housing Programs Consolidation and Flexibility Act (H.R. 1073)** — H.R. 1073 amends the Stewart B. McKinney Homeless Assistance Act (*P.L. 100-77*) to consolidate seven existing homeless aid programs into one block grant program that provides states and communities with flexibility to use available funds more effectively. The bill requires local communities to add public or private funds to match any federal dollar (typically at a rate of 50 percent), and establishes procedures for greater local accountability of expenditures. The House passed similar legislation in the 105<sup>th</sup> Congress (H.R. 217; *H.Rept. 105-407*) by a vote of 386-23; however, the Senate did not act on the measure before adjournment. The Banking Subcommittee on Housing and Community Opportunity approved the measure by voice vote on April 15.

**Homeowners’ Insurance Availability Act (H.R. 21)** — H.R. 21 provides a voluntary federal reinsurance program which “backs-up” state reinsurance programs and regions of the country vulnerable to natural disaster. This proposal addresses the current lack of available or affordable single family home insurance in highly disaster-prone areas such as Florida, Hawaii, and California, where the potential for property losses exceeds the state’s ability to adequately insure and provide coverage. The federal reinsurance program is paid through premiums received directly from the states that are based on actuarial rates. H.R. 21 was introduced by Mr. Lazio *et al.* The committee expects the bill to be ready for floor consideration before adjournment.

**Intercountry Adoption Convention Implementation Act (H.R. 2342)** — H.R. 2342 provides the framework by which the U.S. will carry out its obligations under the Hague Convention on Intercountry Adoption, which the U.S. signed in 1994. The convention’s purpose is to provide a framework for cooperation and a legal structure to safeguard children, birth parents, and adoptive parents involved in intercountry adoption. The bill designates the Secretary of State as the central authority for the purposes of U.S. commitments under the convention, places conditions on the adoption of U.S. children outside the United States, and requires certification that efforts have been made to place the children within the U.S. before allowing intercountry adoption. Finally, the legislation establishes civil penalties for individuals or organizations that carry out adoptions without accreditation, provide false statements, or improperly disclose information. The bill was introduced by Mr. Burr *et al.* and is expected to be marked up by the International Relations Committee within the next month.

**Juvenile Justice Conference Report (H.R. 1501)** — The House passed H.R. 1501 by a vote of 287-139 on June 16, 1999; the Senate passed a similar measure (S. 254) by a vote of 73-25 on May 20, 1999. The House appointed conferees on July 30. Conferees are resolving differences between the House and Senate bills, which differ substantially. While the Senate version contains new gun restrictions—background checks at gun shows, mandatory trigger locks, and a ban on high capacity ammunition clips—the House bill contains none.

**Keeping America Safe Act (H.R. 2184)** — The measure amends the 1952 Immigration and Nationality Act to authorize the Secretary of State to deport aliens who aid or abet a terrorist organization or an individual who has conducted or plans to conduct terrorist activity. The measure was introduced by Mr. Andrews on June 14, 1999.

**Machine Tool Liability (H.R. 2005)** — The bill limits to 18 years the amount of time that a machine tool manufacturers may be sued for injuries resulting from products used in manufacturing, trade, and business. The limit will apply only to cases in which the claimant is ineligible to receive workers' compensation. The measure was introduced by Mr. Chabot; the Judiciary Committee is scheduled to report the bill on September 22.

**Medicare** — The 1997 Balanced Budget Act (BBA; *P.L. 105-33*) established the National Bipartisan Commission on the Future of Medicare to examine Medicare reform proposals and submit recommendations to Congress. Although the commission did not make any formal recommendation to Congress (it was one vote short of the 11 needed for a supermajority on the 17-member panel), its co-chairmen (Senator Breaux and Congressman Thomas) vowed to move their premium support proposal based on the current Federal Employees Health Benefits Program. The Breaux-Thomas proposal includes an immediate drug benefit for low-income seniors (those earning 35 percent above the poverty level; \$10,568 per year for an individual and \$13,334 for a couple). Panelists disagreed, among other things, over what type of prescription drug benefit should be offered. Finally, some lawmakers have expressed an interest in making changes to the 1997 Medicare reforms (e.g., restoring cuts or eliminating future reductions in payments to hospitals and nursing homes, among other things) that may have had an adverse affect on access to care. These issues may be ready for floor consideration before adjournment.

**Microenterprise Act (H.R. 413)** — H.R. 413 authorizes the Community Development Financial Institutions (CDFI) Fund to establish a microenterprise technical assistance and capacity building grant program. The measure authorizes the use of funds from the Program for Investment in Microenterprise (PRIME) to provide training and technical assistance to low income, disadvantaged entrepreneurs interested in starting or expanding their own businesses. A microenterprise is generally defined as a sole proprietorship that has fewer than five employees, does not have access to credit from commercial banks, and requires a loan in an amount of less than \$15,000. These programs work with low-income populations to develop the necessary skills for managing and running a business. The bill was introduced by Mr. Rush *et al.* and was reported by the Banking & Financial Services Committee by voice vote on May 26. The Small Business Committee reported the bill by voice vote on June 24. This measure may be included in the conference report for H.R. 10, the Financial Services Act.

**Minimum Wage** — The last minimum wage increase was implemented in 1996, when Congress increased it from \$4.25 per hour to \$5.15 per hour. A bipartisan group led by Mr. Lazio currently is drafting a measure that may include a \$1.30 per hour wage hike spread over four years. In addition to the wage increase, the bill will include between \$20 and \$50 billion in tax incentives — similar to the small business title of H.R. 2488 — including an increase in the business meals deduction, full deductibility of healthcare costs for self-employed individuals, among other tax reductions.

**Nuclear Waste Disposal** — The Commerce Committee continues to attempt to resolve the issue of establishing a permanent repository for the nation's nuclear waste. Since the Department of Energy (DOE) will not have a permanent storage facility ready until 2010 at Yucca Mountain in Nevada, it needs to establish an interim facility so that the federal government can live up to its legal obligation to begin accepting spent nuclear waste. Mr. Upton introduced legislation (H.R. 45) to establish an interim facility to store spent nuclear fuel. H.R. 45 revises the 1987 Nuclear Waste Policy Act (*P.L. 100-202*) and (*P.L. 100-203*) to address problems and delays that have occurred during the development of an interim storage site and a permanent disposal site for nuclear waste. Specifically, the bill (1) outlines procedures by which the waste will be transported to an interim storage site; (2) enhances safety and emergency training of public safety officials in states through which the waste will be transported; (3) extends the date by which DOE must begin accepting waste at an interim site from 1998 to 2003; (4) increases the amount of waste that may be accepted at the interim site; and (5) replaces the user fee, which is based on a flat rate, with a fee based on the amount needed to complete the project.

On April 21, the Commerce Committee passed an amended version of H.R. 45 by a vote of 40-6 in an attempt to find middle ground with the Clinton Administration. New provisions adopted to H.R. 45 include (1) moving the nuclear waste fund off-budget to free up the \$8 billion balance in the fund and the annual \$600 million ratepayer contributions to pay for construction at an interim site and the permanent site at Yucca Mountain; (2) authorizing DOE to take ownership of spent waste at utilities, until its movement to a temporary storage area, in exchange for nuclear electric companies dropping lawsuits against the government for failing to remove waste on time; and (3) prohibiting new lawsuits against DOE for failing to meet any new statutory deadlines.

Currently, the Senate is continuing to work on S. 608 as reported out of the Energy and Natural Resources Committee. Notably, the current Senate version does not include centralized interim storage and does not provide a solution to the program's funding shortfall, both of which are key components of H.R. 45. The House is waiting to see whether this new compromise bill can garner 67 votes in the Senate. It is also possible the Senate can reach an accommodation with the administration to remove the threat of a presidential veto.

**Older Americans Act (OAA) Reauthorization (H.R. 782)** — H.R. 782 reauthorizes the Older Americans Act (OAA), which lapsed in 1995. The OAA covers various programs for the elderly—including home care, recreation, and nutritional services—as well as provides community service employment programs. The measure was introduced by Mr. Barrett on February 23, 1999. The bill is expected to be considered sometime in October.

**Police Animals (H.R. 1791)** — The bill amends current law to establish a penalty of up to 10 years imprisonment and/or a fine for offenses that result in the death or serious injury of law enforcement animals,

such as dogs and horses. Current law does not specifically address such offenses. The measure was introduced by Mr. Weller on May 15, 1999; the Judiciary Committee is scheduled to consider the bill on September 22.

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**Social Security Reform** — Both the president and the Republican leadership have identified Social Security as one of its top congressional priorities this Congress, although a consensus has yet to emerge on any one proposal. The Social Security system is now accruing more revenues than it is spending in outlays; beginning in 2013, however, Social Security will pay out more in benefits than it receives in payroll taxes, and the trust fund will be completely depleted by 2032. Several members, including Ways & Means Chairman Archer, have unveiled reform plans. The Ways & Means Committee held a series of hearings on the president's plan as well as other reform proposals.

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**Social Security Return to Work** — In the 105<sup>th</sup> Congress, the House passed legislation (the Ticket-to-Work and Self-Sufficiency Act; H.R. 3433; *H.Rept. 105-488*) by a vote of 410-1 to allow disabled beneficiaries of certain Social Security and disability benefits to work outside of their homes and be self-sufficient. However, the Senate did not act on the bill before adjournment. The measure allows beneficiaries to receive vocational rehabilitation and other support services from a network of providers or select them using a newly created "Ticket-to-Work" provider subscription network. The measure seeks to remove barriers that prevent disabled Social Security and Supplemental Security Income recipients from entering the workforce. Since the measure's passage, the administration and a bipartisan group in the Senate endorsed an expanded and more costly version of the proposal. The Commerce Committee approved its measure (H.R. 1180) by voice vote on May 19. Mr. Hulshof introduced similar legislation (H.R. 1091) on this issue. The Ways & Means Committee has joint jurisdiction over the matter.

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**Superfund Reauthorization (H.R. 1300)** — Superfund is a hazardous waste cleanup program that is funded through chemical excise and corporate environmental income taxes. The fund pays for cleanup of hazardous chemicals that have been released into the ground and water where no party is found liable. Although many parties are potentially responsible for paying cleanup costs, identifying liable parties has led to an endless flow of litigation. With so much money at stake, many companies would rather incur the legal expense to avoid payment. The Transportation Committee approved legislation (H.R. 1300) introduced by Mr. Boehlert by a vote of 69-2 on August 5. Specifically, the measure (1) promotes state brownfields and voluntary cleanup programs; (2) provides liability relief for small businesses, recyclers, and municipalities; (3) amends the law's remedy selection provisions; and (4) reinstates the Superfund taxes. The Commerce Committee, which has joint jurisdiction on this issue, is scheduled to hold a hearing on H.R. 1300 and another measure (H.R. 2580) on September 22.

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**Tax Relief Legislation** — On August 5, the House adopted the conference report to H.R. 2488 (*H.Rept. 106-289*) by a vote of 221-206. The measure provided \$792 billion in broad-based tax relief over 10 years. However, President Clinton has pledged to veto the measure. Some lawmakers favor reaching a compromise agreement on tax relief with the president, who favors a tax package of only \$300 billion. No consensus has yet emerged regarding whether Congress should push for a compromise package. Whatever the outcome, certain tax provisions are almost certain to be considered again by the House before adjournment. On September 24, the Ways & Means Committee approved legislation (H.R. 2923) to extend a number of expiring credits, such as the Work Opportunity, Welfare-to-Work, and R&D tax

credits. In addition, some members favor attaching a tax relief package to any measure that includes an increase in the minimum wage, should the House consider such a bill before adjournment. Finally, the House may include certain tax provisions (e.g., expanding medical savings accounts) when it considers health care legislation.

**Trade Agency Authorizations, Drug Free Borders, and Online Child Pornography Prevention Act Conference Report (H.R. 1833)** — On May 25, the House passed H.R. 1833 by a vote of 410-2. The Senate passed its version of the bill by unanimous consent on August 5. The bill reauthorizes funding for the U.S. Customs Service, the Office of the U.S. Trade Representative (USTR), and the International Trade Commission (ITC) and makes other changes to enhance border security and combat the entry of illegal drugs. The bill also (1) authorizes funding for equipment purchases, hiring additional customs inspectors, special agents, and canine officers to protect U.S. borders from illegal contraband; and (2) authorizes additional funding for customs drug interdiction efforts. Finally, the measure authorizes \$10 million for the Child Cyber-Smuggling Center to assist customs with its efforts to prevent child pornography and sexual exploitation. The House and Senate are expected to resolve their differences and ready a conference report for floor consideration before adjournment.

### Appropriations Legislation

Appropriations Bill	Subcommittee Passed	Committee Passed	House Passed	Senate Passed	Conf. Rept. Passed	Presidential Action
Agriculture (HR 1906/S 1233)	5/13/99	5/19/99	6/8/99	8/4/99	—	—
Commerce/Justice/State (HR 2670/S 1217)	7/22/99	7/30/99	8/5/99	7/22/99	—	—
Defense (HR 2561/S 1122)	7/12/99	7/16/99	7/22/99	6/8/99	—	—
District of Columbia (HR2587/S1283)	7/14/99	7/20/99	7/29/99	7/1/99	9/9/99	—
Energy & Water (HR 2605/S 1186)	7/15/99	7/20/99	7/27/99	6/16/99	9/27/99	—
Foreign Operations (HR 2606/S 1234)	7/14/99	7/20/99	8/3/99	6/30/99	—	—
Interior (HR 2466/S 1292)	6/29/99	7/1/99	7/15/99	9/23/99	—	—
Labor/HHS	9/23/99	—	—	—	—	—
Legislative Branch (HR 1905/S 1206)	5/12/99	5/20/99	6/10/99	6/16/99	8/5/99	—
Military Construction (HR 2465/S 1205)	6/28/99	7/1/99	7/13/99	6/16/99	7/29/99	P.L. 106-52
Transportation (HR 2084/S 1143)	5/27/99	6/8/99	6/23/99	9/16/99	—	—
Treasury/Postal (HR 2490/S1282)	5/14/99	7/13/99	7/15/99	7/1/99	9/15/99	—
VA/HUD (HR 2684/S 1596)	7/26/99	7/30/99	9/9/99	9/24/99	—	—

Source: House Appropriations Committee

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